

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

GREGORY ROBINSON,)	
)	
Petitioner,)	
)	
v.)	
)	No. 2:14-cv-02630-SHL-tmp
)	Judge Lipman
)	DEATH PENALTY CASE
)	
WAYNE CARPENTER, Warden,)	
)	
Respondent.)	

**MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE OF RESPONDENT**

Comes now Respondent, Wayne Carpenter, and requests a thirty (30) day extension of time to file a response to the petition. As grounds in support, the respondent states:

1. On August 20, 2014, this Honorable Court issued an Order directing the respondent to file a response to the petition within 60 days of service. The respondent was served with the petition on September 11, 2014, resulting in an effective response deadline of November 10, 2014. (D.E. 7).
2. On October 28, 2014, counsel for the respondent requested a sixty day extension of time to allow for sufficient time to reproduce the record and prepare a complete response to the petition. (D.E. 15).
3. The Court granted such motion on October 28, 2014. (D.E. 16).
4. On October 31, 2014, the Court issued a scheduling order reflecting the December 25, 2014 deadline for the filing of respondent's answer to the petition. (D.E. 18).

5. Due to the size of the record, the State's workload, and the limited resources during the holidays, counsel is requesting this thirty day extension, which is no longer than necessary to prepare a complete response. Over the past several weeks undersigned counsel has prepared and filed responsive, or dispositive, briefs in numerous cases including: *Fowler v. Slatery*, No. 1:14-cv-00256, *Reed v. Lindamood*, No. 2:14-cv-02305, *Thomas v. Colson*, No. 2:12-cv-02333, *Dodson v. Parris*, No. 1:14-cv-00314, *Turner v. Johnson*, No. 3:14-cv-01790, *Nolan v. Holloway*, No. 3:14-cv-00375, *Birdwell v. Freeman*, No. 3:14-cv-01792, *Love v. Jones*, No. 2:14-cv-02354, *Walton v. Johnson*, No. 2:14-cv-02581, and *State v. Pruitt*, No. M2013-02393-CCA-R3-CD, which has delayed the time necessary for counsel to adequately prepare a complete response to the petitioner's extensive habeas claims in this matter.
6. During this time counsel has also been obligated to perform certain duties as emergency services coordinator for the office which has further delayed the amount of time available to prepare a sufficient response. Counsel avers that an additional thirty days will allow adequate opportunity to do so, and thus requests an additional thirty days from the original deadline to file his answer, resulting in a new deadline of **January 24, 2015**.
7. This is the respondent's second request for an extension of time in which to file a response in this matter.
8. This request is not made for any improper purpose and will not prejudice the petitioner.

9. If respondent's motion is granted the parties request that the scheduling order be revised to reflect this thirty day extension.

10. Petitioner's counsel does not oppose this request.

WHEREFORE, Respondent respectfully moves that this Court extend the deadline to respond to the petition until **January 24, 2015**.

Respectfully submitted,

HERBERT H. SLATERY III,
Attorney General & Reporter

/s/ Michael M. Stahl
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CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing has been filed with the Court's electronic filing system, which will forward a copy to respondent's counsel: Robert L. Hutton, Glankler Brown, PLLC, 6000 Poplar Ave, Ste 400, Memphis TN 38119, and all other counsels of record, on this 23rd day of December, 2014.

/s/ Michael M. Stahl
MICHAEL M. STAHL
Assistant Attorney General